

**REMARKS**

**STATUS OF THE CLAIMS:**

Claims 1-3, 6-10, 13-18, 21-23 and 30-35 are pending.

Claims 1-3, 6, 8-10, 13-18, 21, 23 and 30-35 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kimball, U.S. Patent No. 5,056,140 (hereinafter "Kimball").

Claims 7 and 22 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kimball

In accordance with the foregoing, the claims are amended, and, thus, the pending claims remain for reconsideration, which is respectfully requested.

No new matter has been added.

The Examiner's rejections are respectfully traversed.

**REQUEST FOR NEW NON-FINAL OFFICE ACTION:**

37 C.F.R. §1.104(b) recites, in part: "*Completeness of examiner's action.* The examiner's action will be complete as to all matters..."

The Response to the previous Office Action, mailed on April 17, 2007, which was filed on September 17, 2007 recited:

Furthermore, the Office Action rejects claims 6, 13 and 21 under the same rejection rationale as for claim 1. However, claim 6, for example, recites in part: "**a first database registering information identifying the first client-side apparatus** when notified of a password input error at the first client-side apparatus **by the first client-side apparatus; a second database registering the information identifying the first client-side apparatus** when the information identifying the first client-side apparatus is requested **by the second client-side apparatus** and the information identifying the first client-side apparatus is registered in said first database, in response to a transmission from the second client-side apparatus." The Office Action provides no rejection rationale for rejecting the same.

Accordingly, it is understood that either claims 6, 13, 21 and 35 are allowable for not being rejected over any prior art or any rejection rationale requiring the same would be new and not necessitated by an amendment, thus requiring a non-final office action according to MPEP 706.07 guideline.

Accordingly, Applicants respectfully submit that the Office Action is deficient under 37 C.F.R. §1.104(b) for failing to "be complete as to all matters."

Applicants respectfully submit that a subsequent Office Action, if necessary, cannot be made final, because the current Office Action is not "complete as to all matters," in particular with respect to claims 6, 13, 21 and 35.

Claims 6, 13, 21 and 35 recite additional features in addition to the features of other independent claims. The current Office Action acknowledges the pendency of claim 35, however, claims 6, 13 and 21 are still rejected under the same rationale as claim 1.

Accordingly, Applicants again respectfully submit that the Office Action is deficient under 37 C.F.R. §1.104(b) for failing to "be complete as to all matters" for failing to provide rejection rational for all of the pending claims.

Applicants respectfully submit that a subsequent Office Action, if necessary, cannot be made final, because the current Office Action is not "complete as to all matters," in particular with respect to claims 6, 13, 21.

#### **OBJECTION TO THE SPECIFICATION:**

The Office Action, at page 2 objects to the specification as allegedly failing to provide proper antecedent basis for the claimed subject matter.

In accordance with the foregoing, the claims are amended. Withdrawal of the objection to the specification is respectfully requested.

#### **35 U.S.C § 102(b) REJECTIONS:**

Independent claims 1, 6, 8, 13, 16, 21 and 35 are allegedly anticipated by Kimball.

Kimbell, newly cited and newly relied upon, proposes a communication security accessing system in which a master generates a random number when a call is received from a slave and encrypts the random number that is sent to the slave. If no response is received within a predetermined time period, the master disconnects the connection between the master and the slave. On the other hand, if a response including an encrypted identification number is received from the slave within the predetermined time period and the identification number of the slave is registered in the mater, the master judges that the slave is the calling source, and decrypts the response.

The Office Action, at page 3, asserts that the claimed (i) "detecting a password input error at the information processing apparatus," as recited in claim 1, is disclosed at column 4,

lines 60-65 of Kimball; and the claimed (ii) "registering information identifying the information processing apparatus in a first database of the registration center when the password input error is detected," as recited in claim 1, is also disclosed at column 4, lines 60-65.

Applicants respectfully disagree with the assertion. Kimball, at column 4, lines 60-65 recites:

If the decrypted identification number received from the remote location does not match an identification number on the stored list available to the access security discriminator 10, the phone connection to the remote requestor is broken. The supervisor station 24 maintains audit records of every attempt at access.

In other words, Kimbell describes that the master judges whether or not the response is returned from the slave at the calling source. Accordingly, Applicants respectfully submit that Kimball fails to disclose, either expressly or inherently (necessarily), the claimed "**detecting a password input error** at the information processing apparatus," because Kimbell merely discusses determining whether a slave correctly responds to a request from a master to send the slave's encrypted identification number to the master. That is, Kimbell at column 4, lines 60-65 fails to disclose, either expressly or inherently (necessarily), the claimed "detecting a password input error," because Kimbell fails to discuss an input password.

Furthermore, Applicants respectfully submit that Kimball fails to disclose, either expressly or inherently (necessarily) the claimed "**registering information identifying the information processing apparatus** in a first database of the registration center when the password input error is detected," because Kimbell merely describes that the log of judgements made by the master is recorded at the master. (see *a/so*, Kimbell at column 5, lines 15-30 and 40-45). In other words, Kimball fails to disclose, either expressly or inherently (necessarily) the claimed "registering information identifying the information processing," because if the slave does not send the correct encrypted identification number (which the Office Action equates to detected the password input error), it is unclear how Kimbell would register "information identifying the information processing apparatus" without having the proper identification number of the slave.

Accordingly, Applicants respectfully submit that an anticipation rejection cannot be based upon Kimbell, because Kimbell fails to disclose, either expressly or inherently (necessarily), each and every feature of the claimed embodiments, including the claimed "detecting a password input error at the information processing apparatus, registering information identifying the information processing apparatus in a first database of the registration center when the password input error is detected," as recited in claim 1.

The Office Action rejects independent claim 6, for example, for the same reasons as independent claim 1. However, claim 6 recites other patentably distinguishing features in addition to the features of claim 1. Claim 6, for example, recites, in part "An information processing apparatus **in communication with first and second apparatuses, ... registering information identifying the first apparatus** when notified of a password input error at the first apparatus **by the first apparatus...** a second database registering the information identifying the first apparatus **when the information identifying the first apparatus is requested by the second apparatus** and the information identifying the first apparatus is registered in said first database, in response to a transmission from the second apparatus." One benefit of the claimed embodiment is that the owner of the first apparatus can determine if failed power-on password input attempts are registered in association with the first apparatus in a database using a second apparatus if, for example, the owner loses the first apparatus or, for example, if the first apparatus is stolen, when a power-up password input error is determined at a client, rather than at the registration center.

The Office Action fails to provide any rejection rationale for the corresponding features of claim 6. Accordingly, Applicants respectfully request a new, non-final Office Action, if necessary, addressing each claim individually.

Applicants respectfully submit that independent claims 8, 16, and 35 patentably distinguish over the cited prior art for similar reasons as independent claim 1.

Furthermore, Applicants respectfully submit that independent claims 13 and 21 patentably distinguish over the cited prior art for similar reasons as independent claim 6.

Dependent claims recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependence from the independent claims. Withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


Serial No. 09/938,727

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: March 4, 2008

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